

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION**

DENNIS J. STEWART	:	Case No. 1:21-cv-124
	:	
Plaintiff,	:	Judge Timothy S. Black
	:	
vs.	:	Magistrate Judge Stephanie K.
	:	Bowman
LEBANON CORRECTIONAL	:	
MEDICAL STAFF,	:	
	:	
Defendant.	:	

**DECISION AND ENTRY
ADOPTING THE REPORT AND RECOMMENDATIONS
OF THE UNITED STATES MAGISTRATE JUDGE (Doc. 6)**

This case is before the Court pursuant to the Order of General Reference to United States Magistrate Judge Stephanie K. Bowman. 28 U.S.C. § 636(b). Pursuant to such reference, the Magistrate Judge reviewed the pleadings filed with this Court and, on April 26, 2021, submitted a Report and Recommendations. (Doc. 6). No objections were filed to the Report and Recommendations, and the time for filing objections has expired.¹

The Court has reviewed the Report and Recommendations, is satisfied that there is nothing clearly erroneous or contrary to law on the face of the record, and accepts the Magistrate Judge's recommendations. Fed. R. Civ. P. 72.

¹ In a filing postmarked May 26, 2021, sixteen days after the deadline for filing objections, Plaintiff filed a letter which purports to: (1) ask for legal counsel, which request the Magistrate Judge already denied; and (2) seek additional time "to figure out [his] next approach." (Doc. 8). As discussed in the Report, Plaintiff's complaint against "Lebanon Correctional Medical Staff" fails to state an actionable claim against the Lebanon Correctional Medical Staff, the only named defendant in the complaint. Accordingly, Plaintiff's motion for extension of time (Doc. 8) is not well taken and **denied**.

Accordingly:

1. The Report and Recommendations (Doc. 6) is **ADOPTED**.
2. Plaintiff's complaint is **DISMISSED with prejudice** pursuant to 28 U.S.C. § 1915(e)(2)(B) and 1915A(b)(1).
3. The Court **CERTIFIES** that pursuant to 28 U.S.C. § 1915(a)(3), an appeal of this Court's Order would not be taken in good faith and **DENIES** Plaintiff leave to appeal *in forma pauperis*. See *McGore v. Wrigglesworth*, 114 F.3d 601 (6th Cir. 199).
4. The Clerk shall enter judgment accordingly, whereupon this action is **TERMINATED** upon the docket of this Court.

IT IS SO ORDERED.

Date: 9/7/2021

s/Timothy S. Black
Timothy S. Black
United States District Judge